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Date: November 19, 2004

By:

*Sharyl Brown*  
Sharyl Brown

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF:

ALEXANDRE BAPTISTA

APPLICATION No.: 10/789,451

FILED: FEBRUARY 26, 2004

FOR: VACUUM PACKAGING APPLIANCE WITH  
REMOVABLE TROUGH

ATTY. DKT. No. 37469-8041.US01

EXAMINER: UNKNOWN

ART UNIT: 3721

**Response to Notice to File Missing Parts**

**Parts of Application**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

11/23/2004 BABRAHA1 00000064 10789451  
05 FC:1254 1530.00 OP

Sir:

1. This is in response to the Notice to File Missing Parts mailed May 19, 2004 (copy enclosed). Applicant requests a four month extension of time, thus allowing Applicant until November 19, 2004 to respond. Applicant submits the following:

- ☒ Check in the amount of \$2,990.00
- ☒ Petition by Person Having Proprietary Interest to File Application on Behalf of Inventor Alexandre Baptista Who Refuses to Sign
- ☒ Statement Establishing Proprietary Interest By Person Signing On Behalf of Nonsigning Inventor
- ☒ Proprietary Information Agreement and Employment Agreement
- ☒ Statement of Facts By Judy Lagera Vo In Support of Filing on Behalf of Nonsigning Inventor
- ☒ Inventorship Declaration with Signature By Person with Sufficient Proprietary Interest Where No Inventor is Available To Sign On Behalf of the Sole Inventor Who Refuses to Sign
- ☒ Statement of Facts By Brian R. Coleman, with a copy of a letter which was mailed to Alexandre Baptista on June 10, 2004, together with proof of delivery by Federal Express tracking results.
- ☒ Transmittal of Formal Drawings and 7 sheets of corrected formal drawings
- ☒ Return postcard

2. Fee Payment

- ☒ Check enclosed in the amount of \$3,062 for basic filing fee, surcharge, petition fee, extra claims and four month extension of time.
- ☒ The Commissioner is authorized to charge any underpayment for timely filing of this Response to Deposit Account No. 50-2207. This paper is provided in duplicate.

Respectfully submitted,  
Perkins Coie LLP



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Brian R. Coleman  
Registration No. 39,145

Date: November 19, 2004

Correspondence Address:

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/789,451	02/26/2004	Alexandre Baptista	37469-8041.US01

22918  
PERKINS COIE LLP  
P.O. BOX 2168  
MENLO PARK, CA 94026



CONFIRMATION NO. 5173

## FORMALITIES LETTER



\*OC000000012710569\*

Date Mailed: 05/19/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/23/2004 BABRAHA1 00000064 10789451

01 FC:1001  
02 FC:1051  
03 FC:1202  
04 FC:1201

790.00 OP  
130.00 OP  
234.00 OP  
176.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

11/23/2004 BABRAHA1 00000064 10789451

01 FC:1001  
02 FC:1051  
03 FC:1202  
04 FC:1201

790.00 OP  
130.00 OP  
234.00 OP  
176.00 OP

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 8.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$406** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1306** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$406**
  - **\$172** for **2** independent claims over 3.
  - **\$234** for **13** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
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Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE